

Note for Gilbert, Jacquie

From: Chaikin, Karen
Date: Tue, Aug 29, 1995 12:36 PM
Subject: FW: Van Program/AFTL
To: Zerangue, Kent
Cc: Berner, Vicki; Carcich, Claire; Gilbert, Jacquie; Murphy, Virginia
File(s): Powerforce memo/revised

2048467096A

Kent, I haven't heard from the lawyers yet, and I will be leaving the office soon until Thurs. Vicki agrees with you (see below), and I don't want to lose any more time so how about we proceed as you suggested with the intention of writing into the '96 agreement the stipulation about pulling the van if a retailer refuses to post any signage. I have enclosed the memo to Powerforce Market Managers as amended by legal, so it's ready to go. If you need to talk with me before putting your recommendation together for Gary, then I'm in on Thurs. If not, would you please let me know what you have decided and best guess as to when we can move so that I can let Amarind Tan know to provide me with revised kit quantities by market. Thanks much. kc

From: Berner, Vicki on Mon, Aug 28, 1995 4:54 PM
 Subject: RE: Van Program/AFTL
 To: Chaikin, Karen

2048467096A

I agree with Kent-let's make sure we include in next year's agreements but for this year I think we should just encourage retailers to display the signs with no threat of leaving if they refuse. Our TSMs are very sensitive to the age issue & have been drilled to ID anyone who appears to be under the age of 25 so I'm not particularly worried about the potential additional media exposure at the vans.

From: Chaikin, Karen on Mon, Aug 28, 1995 4:28 PM
 Subject: FW: Van Program/AFTL
 To: Berner, Vicki; Carcich, Claire; Gilbert, Jacquie; Murphy, Virginia; Zerangue, Kent
 File(s): Powerforce memo

2048467096B

We're almost there, but we need to resolve one issue so that Kent can make a recommendation to Gary Eastburn as to how we should communicate this new aspect of the van program to the TSMs. Specifically, we need to decide whether we want to modify the existing Retailer Participation Agreement to include a provision whereby the SPR of the van program is instructed to remove the van from the premises should the retailer not be posting any (not necessarily Ask First/It's the Law) responsible tobacco retailing signage and refuse to do so. Kent suggests that, for the duration of the '95 program, we implement the first half of the program (provide SPRs with AFTL kits for them to suggest to retailers to use), however, we should not modify existing agreements to instruct them to leave under the circumstances described above. Kent does agree that we should write this aspect of the program into the '96 agreement. My concern is that there is increased media and anti-tobacco attention towards activity at the retail level in general and the van program will attract even more attention making it all the more important that the retailer displays some kind of signage. (I understand SPRs are asking consumers to send letters to the White House re: FDA, which could attract even more attention to the van program) If amending the agreement will take a lot of time, then I'm willing to leave it alone for now and move quickly to get SPR's AFTL program kits now with the instruction that they present the kit to the retailer and suggest that they use the program if they aren't already doing so. If however we can move quickly to amend the agreement, then I would prefer that we go this route. I welcome your thoughts and if you believe we need to meet to flush this out, then I'm available on Thursday to do so. Just let me know. Thanks. kc

PS: I've enclosed a copy of the proposed memo to Powerforce outlining what we would like to achieve. Depending on your comments to the above, I will modify accordingly.